

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

WILLIAM KING, b/n/f MARTHA KING,)

Plaintiffs,)

vs.)

Case No. 05-0747-CV-W-DW

Judge Dean Whipple

SARA MILLS, and WAL-MART
STORES EAST, INC.,)

Defendants.)

PETITION FOR APPROVAL OF MINOR SETTLEMENT

COME NOW Plaintiff William King, by his next friends Martha King and Patrick King and attorney of record, Laurie Del Percio of The Horn Law Firm, P.C., and Defendants Sara Mills and Wal-Mart Stores, Inc., by and through their attorney of record, James B. James of Brown & James, P.C., and request the Court herein to approve a proposed settlement of a claim for personal injuries on the part of the above-named minor child against Defendants, and for grounds thereof states as follows:

1. Plaintiff, William King, is a minor child born on September 6, 2002, and resides with his mother and next friend, Martha King, and his father and next friend, Patrick King.
2. On or about December 23, 2002, Plaintiff is alleged to have sustained personal injuries as a result of a mis-fill of a prescription for Amoxil. The prescription is alleged to have been filled by Defendants Sara Mills and Wal-Mart Stores East, Inc. William King incurred medical bills in the amount of One hundred forty-four dollars and seventy cents (\$144.70) as a result of the medical treatment necessitated by the mis-fill.
3. Plaintiff through his mother and next friend, Martha King, and his father and next friend, Patrick King has retained The Horn Law Firm, P.C. to represent his interests.

4. The minor Plaintiff through his next friends has made a claim against Defendants as a result of the aforesaid alleged incident and injuries, and in order to resolve the issues between the parties, Plaintiff's next friends have agreed with the Defendants, subject to the approval of this court, and only upon condition of such approval, to settle the claim for the total sum of Seventeen Thousand Two Hundred Ninety-Six Dollars (\$17,296.00) to be paid as follows:

(a) Ten Thousand Seven Hundred Fifty Dollars and Ninety-Eight Cents (\$10,750.98) to an annuity purchased for the benefit of William King with periodic payments as follows:

Five Thousand Dollars (\$5,000.00) annually beginning on August 1, 2021 (age 19) and payable for four years (four payments) guaranteed. The last payment will be made on August 1, 2024. A guaranteed lump sum payment in the amount of Seven Thousand Six Hundred Sixty-Four Dollars and Eighty Five Cents (\$7,664.85) on September 6, 2027 (Age 25).

(b) Six Thousand Five Hundred Forty-Five Dollars and Two Cents (\$6,545.02) to The Horn Law Firm, P.C., the plaintiff's attorney, for attorney's fees in the amount of Five Thousand Six Hundred Ten Dollars (\$5,610.00) and expenses in the amount of Nine Hundred Thirty-Five Dollars and Two Cents (\$935.02).

WHEREFORE, the parties move this Court for its Order approving the proposed settlement as a fair and reasonable compromise of the disputed claim.

Respectfully submitted,

THE HORN LAW FIRM, P.C.


/s/ Laurie Del Percio

Laurie Del Percio, #48458

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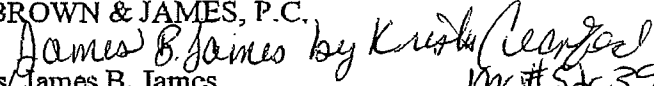
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